

Department of Permits Approvals and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 95446

Elizabeth Genco
1222 Berk Ave
Baltimore, MD 21237

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on August 10, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) B.C.C. 13-7-310(a) failure to remove all junk, trash and debris from residential property.

On July 11, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Ryan Fisher issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$ 600.00 (Six Hundred Dollars)

The following persons appeared for the Hearing and testified: Elizabeth Genco, Michelle Dill, Respondent(s); Ryan Fisher, Baltimore County Code Enforcement Officer.

Testimony was presented that upon a complaint from a citizen, the subject property was inspected on 6/9/11. Various items of junk, trash , and debris, including a hot tub, tires, foam, shopping cart, metal and wood items were noted on the grounds. A Correction Notice was issued. A re-inspection on 6/27/11 showed little change, although some items had been moved into an apparently make shift

shed. A Citation was issued. On 7/11/11 and 8/8/11 no appreciable progress was noted. The Respondent testified that her son was unable to help in a significant way because of limits allegedly imposed on his movement on the property due to a house arrest electronic monitoring. She acknowledged that much needed to be done and that she would try to get the use of a friends truck as well as obtain a larger shed for storage. The Inspector added that the record of this property reveals several incidents in the past three years of this same kind of difficulty; although on the previous occasions the violations had been dealt with prior to hearing.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$ 600.00 (Six Hundred Dollars)

IT IS FURTHER ORDERED that \$200.00 of the \$600.00 civil penalty be suspended

IT IS FURTHER ORDERED that the remaining \$400.00 will be imposed if the property is not brought into compliance within 30 days .

IT IS FURTHER ORDERED that the remaining \$200.00 will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 15th day of September 2011

Signed: Original signed 09/15/11
Lawrence Stahl
Managing Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.

TMK/lmw